THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.4613 OF 2006

Dt.9.3.2006

Between:

Syed Sultan … Petitioner

And

The Mandal Revenue Officer,

Mydukur Mandal, Kadapa District

And another … Respondents

ORDER:

The petitioner questions the action of the respondents in particular respondent No.1 in trying to dispossess the petitioner by assigning pattas in Sy.No.329/B an extent of Ac.0.52 cents of Nandyalampet Village of Mydukur Mandal, Kadapa District, in the name of 3rd parties without following due process of law as illegal and arbitrary.

The case of the petitioner is the land to an extent of Ac.0.52 cents in Sy.No.329/B situate at Nandyalampet Village of Mydukur Mandal is

the ancestral property of the petitioner originally belongs to one late Syed Nabi Saheb who is the grand father of the petitioner and in respect of the said property title deed and pattedar passbook were also issued. While so, it is stated that the respondents contemplating to take action to assign the said land in favour of 3rd parties without following the due process of law. Even if the petitioner is in illegal possession of the said land in contravention of sub-sections (1) and (2) of Section 3 of the A.P. Assigned Lands (Prohibition of Transfer) Act, 1977, the respondents have to issue notice and take appropriate action under Section 4 of the Act, which is an appellable order under Section 4-A of the Act.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue on behalf of the respondents.

Having regard to the facts and circumstances of the case, the respondents are directed not to dispossess the petitioner from the land in question to an extent of Ac.0.52 cents in Sy.No.329/B of Nandyalampet Village of Mydukur Mandal, Kadapa District, without following the due process of law.

The writ petition is disposed of accordingly. No order as to costs.

(V.ESWARAIAH, J.)

9.3.2006

Note: Issue copy within three days

B.O.

kpr